

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

Criminal No. 15-cr-20382

v.

HON. VICTORIA A. ROBERTS

D-1 PAUL NICOLETTI,

Defendant.

/

*STIPULATION RESETTING TRIAL DATE AND FOR
FINDING OF EXCLUDABLE DELAY PURSUANT TO 18 U.S.C. §3161*

The parties, through MATTHEW SCHNEIDER, United States Attorney, and Craig A. Weier, Assistant United States Attorney, for the United States, and JAMES C. HOWARTH for D-1 PAUL NICOLETTI, hereby stipulate that the trial in this case, previously scheduled for **July 17, 2018** at 8:30am, which was adjourned due to substitution of counsel, be reset to commence on **February 21, 2019** at 8:30am, and that a final pretrial conference and plea cut-off date be set for December 17, 2018 at 2:00pm;

The parties stipulate further that the delay from and including the last status conference in this case, **September 5, 2018**, to **February 21, 2019** is necessary to allow recently-appointed counsel an

adequate opportunity to prepare for trial in light of voluminous discovery as well as to explore a possible, pretrial, negotiated resolution.

The parties further stipulate that the period of delay from and including **September 5, 2018 to February 21, 2019** should be excluded from the time within which the above-noted case must be tried pursuant to the Speedy Trial Act because the reasons for the delay stated above outweigh the best interests of the public and the defendants in a speedy trial. *See* 18 U.S.C. §§ 3161(h)(7)(A), 3161(h)(7)(B)(ii), and 3161(h)(7)(B)(iv).

Respectfully submitted,

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Dated: September 12, 2018

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

Criminal No. 15-cr-20382

v.

HON. VICTORIA A. ROBERTS

D-1 PAUL NICOLETTI,

Defendant.

/

*ORDER ADJOURNING TRIAL AND FOR
FINDING OF EXCLUDABLE DELAY PURSUANT TO 18 U.S.C. §3161*

The Court, having reviewed and considered the stipulation of the parties, dated September 12, 2018, as well as the statements of counsel at a status conferences of July 11, 2018 and September 5, 2018, and it appearing that additional time is necessary to allow recently-appointed counsel adequate opportunity to prepare for trial in light of voluminous discovery and to explore a pretrial, negotiated settlement;

IT IS NOW THEREFORE ORDERED that the **trial** in this matter be scheduled for **February 21, 2019** at 8:30am, and that this case be scheduled for a final pretrial conference on **December 17, 2018** at 2pm.

IT IS FURTHER ORDERED that the delay from and including the status conference of September 5, 2018 to February 21, 2019 is

necessary to allow counsel an opportunity to adequately prepare for trial in light of the voluminous discovery in this case, as well as to explore a possible pretrial, negotiated resolution of the case.

IT IS FURTHER ORDERED that the period from and including **September 5, 2018 to February 21, 2018** be excluded from the calculations of the time period within which the defendant must be tried pursuant to the Speedy Trial Act because the Court finds, for the reasons set forth above, that the reasons for the delay outweigh the best interests of the public and the defendants in a speedy trial. 18 U.S.C. §§ 3161(h)(7)(A), 3161(h)(7)(B)(ii), and 3161(h)(7)(B)(iv).

SO ORDERED.

S/Victoria A. Roberts
HONORABLE VICTORIA A. ROBERTS
UNITED STATES DISTRICT JUDGE

Date: September 13, 2018